

**Carlisle Conservation Commission**  
**November 8, 2012**

Pursuant to the notice filed with the Town Clerk, Chair Kelly Guarino called the meeting to order in the Clark Room at the Town Hall at 7:30 p.m. Also present were Vice Chair Luke Ascolillo and Commissioners Tom Brown, Tom Brownrigg, Jen Bush, and Lee Tatistcheff and Conservation Administrator Sylvia Willard. Commissioner Peter Burn was not present.

**Bills, Minutes, General Agenda Items, & New/Pending or Old Business:**

**Minutes:**

*Ascolillo moved to accept the **February 24, 2011** minutes as amended, Bush seconded and all voted in favor with the exception of Brown and Tatistcheff, who abstained.*

*Bush moved to accept the **June 9, 2011** minutes as amended, Tatistcheff seconded and all voted in favor with the exception of Brown and Tatistcheff, who abstained.*

*Ascolillo moved to accept the **June 23, 2011** minutes as amended, Brown seconded and all voted in favor, with the exception of Brown and Tatistcheff, who abstained.*

*Bush moved to accept the **October 11, 2012** minutes as amended, Ascolillo seconded and all voted in favor.*

**Certificate of Compliance:**

**DEP 125-867 - 236 Lowell Street: Project:** Septic system, extension of an existing home, deck, removal of 1 tree and installation of a water supply well, Issued: 7/21/2009, Amended: 10/30/2009, 6/7/2012. Based on Willard's recommendation that the project had been completed substantially in compliance with the Plan of Record, *Tatistcheff moved to issue a Certificate of Compliance for DEP #125-0867, Ascolillo seconded and all voted in favor.*

**Land Use Permit:** *Brown moved to issue a Land Use Permit to Drew Kissinger on behalf of Boy Scout Troop #135 for Blue Bird Box Maintenance Training with Tom Brownrigg at Towle Field on November 10, 2012 from 8 a.m. to 11 a.m., Tatischeff seconded and all voted in favor. Brownrigg has been monitoring the nesting boxes for over 30 years and is, rightfully so, ready to pass the torch.*

**Driveway Maintenance Question:** Chair Kelly Guarino asked the Commission for guidance relative to some driveway maintenance work she would like to undertake at her property at 119 Maple Street. The work she is considering involves bringing in gravel material to fill in potholes that have developed in the driveway surface. The Commission determined that a filing would not be required for activity since routine maintenance of an existing driveway is considered exempt under the Wetlands Protection Act.

**Cranberry Bog Lease Agreement:** Steve Hinton has agreed to speak with the Commission at their November 29, 2012 meeting relative to his involvement in the previous review process for the Cranberry Bog Lease.

**Cutters Ridge Road Follow Up:** Willard provided the Commission with some background information relative to a recent request from Michelle Coleman of 71 Cutters Ridge Road, who has asked what is required in order to get a Certificate of Compliance for Cutters Ridge Road. Willard had previously informed the Commission that, during the Planning Board's review of common drives in town, they were contacted by residents of Cutters Ridge Road relative to requirements for getting the road accepted by the town. The original project included a subdivision road and a common driveway. She explained that the

portion of the original project that was built to be accepted by the town, including Cutters Ridge Road to where it terminates in a cul de sac, was never accepted at Town Meeting, apparently due to issues related to a replication area. For several years the Commission determined that it did not meet performance standards.

Willard reported having researched minutes and office file archives and found that the Commission had been approached by the property owner Jim Harris of Cutters Ridge requesting a COC in 1994. Her research shows that, at that time, the issue was discussed at three separate Conscom meetings and a site visit was conducted. At that time, the Commission confirmed that the wetland replication area was completed satisfactorily and they issued a COC to the property. She said that it was clear in the minutes that the intent was to issue the COC to the entire project. However, because the property against which the original Orders of Conditions was recorded was subsequently subdivided, a COC must be requested by and issued to each property owner separately in order to clear the title of each lot. The COC issued was only recorded on the Harris property.

**8:00 p.m. (DOA-300) Request for Determination**

**Applicant: Rylan and Christina Rudzinski**

**Project Location: 52 Evergreen Lane**

**Project Description: Septic repair, including a new tank, distribution box and connection**

Guarino opened the discussion under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Present were Rylan Rudzinski and his representative, Fred Fish of Raggs, Inc. The Commission had authorized an Emergency Certificate two weeks prior to allow work associated with the project to begin. At that time they had requested that the property owner submit an RDA in order to provide time beyond the 30 days allowed under the EC in order to complete the project. The wetlands on and adjacent to the property were delineated by Wetlands Consultant Mary Trudeau on October 15, 2012. Fish stated that the Plan has been reviewed by the BOH with several minor changes being requested. Willard reported having conducted a site visit, at which time she met with the property owner who had also discussed the possibility of removing some of the invasive plants on the property, which the Commission would consider as a Special Condition.

*Tom Brown moved to issue a Negative Determination B3 for DOA-300, the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions: (1) a siltation barrier shall be installed as marked on the Plan of Record and must be inspected by the administrator prior to work; (2) the Commission is accepting Wetland Flags 1 through 7, excluding WF6; (3) manual removal of invasive plants in accordance with the Administrator's recommendations is allowed, Ascolillo seconded and all voted in favor.*

**Emergency Procedures Following Storm Events:** Willard circulated information she had recently obtained from the DEP's website relative to Emergency Regulations for dealing with Hurricane Irene storm damage. Of particular concern to the Commission is the fact that many homeowners may not be aware of certain requirements associated with undertaking post-storm tree removal work. The Commission agreed to discuss the matter further at an upcoming meeting when time permits.

**8:15 p.m. (DEP 125-0930) Notice of Intent**

**Applicant: Bentley Building**

**Project Location: 150 Hanover Road, Map 19, Parcel 41 Lot 24**

**Project Description: Grading associated with a soil absorption system and a single family dwelling**

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented the Plan. He stated that virtually all of the proposed work is outside of the 100-foot Buffer Zone, with the exception of some grading for the walkout basement and the septic system, and the construction of the foundation drain. They have proposed using Filtermitt® in place of haybales for erosion control as noted on the Plan. Willard had communicated the fact that several wetland flags were missing, and the representative will see that they are placed in the field prior to the pre-construction site inspection. Willard commented upon the usefulness of having the house box staked in the field prior to the hearing. *Brown moved to close the hearing for DEP #125-0930, Ascolillo seconded and all voted in favor. Brown moved to issue a Standard Order of Conditions, Ascolillo seconded and all voted in favor.*

### **Tree Removal Requests:**

**Carriage Way.** The Commission determined that the property owner's request to remove ten large white pine trees on her property is exempt from a wetlands filing due to the fact that they do not appear to be within the 100-foot Buffer Zone of a BVW. The trees are estimated to be in the vicinity of 100' in height, with the closest tree being approx 65' from the home. Because the property is within Priority Habitat for a Rare Species as determined by NHESP, the Commission recommended that she contact Natural Heritage in order to determine if the work qualifies for an exemption under the MA Endangered Species Act.

**Aldershot Lane.** The property owner has asked what will be required in order to remove seven trees on her property and ten trees on an abutters property that are interfering with the solar panels located on her property. The Commission determined that the property owner will need to submit a Request to Amend Order of Conditions relative to the trees located on her property. A separate filing submitted by the abutting property owner will be required in order to address the request for tree removal on that property.

### **8:30p.m. (DEP-0931) Notice of Intent**

**Applicant: Linda White**

**Project Location: 393 South Street**

**Project Description: Demolition of a single-family house, construction of a detached garage, associated driveway, utilities and grading**

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented the Plan. He said that although the 19.8-acre property has the potential for approximately seven house lots, the property owner would like to keep it as a single-family lot. The proposed work, including the removal of an existing house, construction of a portion of a garage, extension of the driveway and associated grading and utilities, would occur within the 100-foot Buffer Zone of a BVW. The majority of the disturbance within the Buffer Zone will occur within previously disturbed areas. The limit of work line is approximately seven feet from the BVW at the closest point to allow for the resurfacing of the driveway. The project is located within Estimated Habitat and is therefore subject to a MESA review through NHESP, the results of which are still pending. The Plan includes landscaping provisions including the installation of native plants in order to create a more substantial buffer between the driveway and the Buffer Zone. Brownrigg recalled observing what he believed to be a potential vernal pool on the property when the Commission had conducted a site visit in 2010. At that time, the town had the right of first refusal on a portion of the property following the property owner's removal of the property from the state Chapter 61B program. The hearing was continued to November 29, 2012 at 8:00 p.m. pending a Board of Health review and following a site visit.

### **8:45 p.m. Benfield Farms - Acknowledgment of Location & Confirmation of Easement Rights**

**Agreement:** Present for the discussion were Greg Peterson and Housing Authority Chair Alan Lehotsky.

Approvals required in order for the project to become eligible for a Public Water Supply Permit through the DEP include the Board of Selectmen, the Carlisle Housing Authority, the Recreation Commission, the Carlisle Conservation Foundation and the Conservation Commission. The document, which was prepared by Special Town Counsel, allows the Housing Authority's ground lease tenant, NOAH, access to Benfield Lots 2, 3 and 4 in order to develop and maintain septic and well utility infrastructure. The Commission inquired about the ongoing maintenance of the field once they have signed off on the document, as there are restrictions relative to activities within a designated radius. Lehotsky assured them that both NOAH and the Carlisle Housing Authority would "keep a watchful eye" as the project progresses. Willard asked the representatives to confirm that the well head would be vaulted in order to allow mowing. Lehotsky said he would need to check the Plan. Guarino encouraged the Housing Task Force to maintain good communication in order to avoid problems such as had recently occurred during the boulder moving activity. *Brown moved to approve and sign the Acknowledgement of Location and Confirmation of Easement Rights Agreement, Ascolillo seconded and all voted in favor.*

**Camping Permit:** Boy Scout Troop #135 leader Steve Golson was present to request a Town of Carlisle Overnight Camping Permit to allow camping on the Town Forest Land from Saturday December 1, 2012 through Sunday December 2, 2012. The group would include a maximum of 15 people. Golson said that they have reviewed the "Rules and Regulations For Use of Carlisle Conservation Land" and will implement the "Leave No Trace" principles into their camping practices. A current Certificate of Liability has been provided. Golson said he would be notifying the Carlisle Police Department of their plans and will inform abutters to the camp site of their plans as well. Members of the Commission expressed pleasure at the fact that the Town Forest was being used by the Scouts for camping. *Tatistcheff moved to issue an Overnight Camping Permit to Steve Golson of Boy Scout Troop #135 to allow camping on the Town Forest Land from Saturday December 1, 2012 through Sunday, December 2, 2012, Ascolillo seconded and all voted in favor.*

**Request for position on Goff property acquisition:** A vote was taken relative to the town's purchase of the Goff property, which could provide a potential trail connection between the Banta Davis Land and the Fox Hill Land. In addition to using the land for Department of Developmental Services Housing, the town is looking into the possibility of using a portion of the land for recreational fields or a senior center. *Bush moved to support the town's acquisition of the Goff property on Bedford Road, Tatistcheff seconded and all voted in favor.* It was noted that the Board of Selectmen, the Planning Board and the Finance Committee have also voted in favor of supporting the purchase. A Special Town Election will be held on Tuesday, November 27, 2012.

#### **Long Ridge Road Conservation Cluster:**

Willard informed the Commission that the Planning Board will be conducting a hearing on Jeff and Lisa Brem's application for a 4-lot Conservation Cluster Special Permit on their 11.84-acre property at 100 Long Ridge Road on November 19. The proposal would create a 3.73-acre parcel of public Open Space. A stamped copy of the Application for Special Permit-Conservation Cluster Subdivision Plan and Residential Site Plan dated October 26, 2012 were submitted to the Commission office for their review on October 26, 2012. The Commission is aware that Lots 1 and 2 will require Notice of Intent filings.

9:55 p.m. *Tatistcheff moved to adjourn, Brown seconded and all voted in favor.*

Respectfully submitted,  
Mary Hopkins  
Administrative Assistant